

Remarks

The Examiner's Office Action has rejected all claims of the present application as obvious in view of the Stefik '980 patent. The Examiner's prior Office Action, issued November 17, 2006, also cited the Stefik '980 patent for a rejection for obviousness. Indeed, the Examiner's rejection of November 17, 2006 and the present rejection dated April 19, 2007 are identical to one another in every way. There is no content that is responsive to the Reply to the Office Action submitted by the Applicants on January 26, 2007.

Applicants refer here to their response filed January 26, 2007 for a complete description of the patentable differences between Stefik and the present claims. Namely, while the present claims recite the embedding of a "license stamp" in a data file, to be evaluated by the destination computer, Stefik relates to a very different process in which a "ticket", which does not appear to be embedded in the file, is "punched" at the repository, e.g. by a "generic ticket agent". If the ticket is already punched, it appears that the result is an inability to access the desired file at the repository.

As noted in Applicant's prior response, Stefik is very different from the claimed invention, because Stefik seeks to preclude access to works at the repository, and refrains from forwarding works to a receiver in the absence of usage rights or a "ticket". In contrast, the invention as recited in claims 1, 12 and 23 uses a server to embed a "license stamp" in a data file before forwarding. Processing software in the destination computer is adapted to process a

received data file to carry out an action only if the file includes the license stamp indicating that a licensed server forwarded the file. This is quite different from Stefik in many ways:

1. The meaning of the “license stamp” is different from the meaning of the “ticket”.

The “license stamp” indicates a file was forwarded by a licensed server, where as a ticket (punched or unpunched) indicates the right of a destination computer to access the work.

2. The entity that uses the “license stamp” is different from the entity that uses a “ticket”. Stefik’s server, i.e., repository, punches the ticket to determine access rights, whereas applicants’ destination computer responds to the embedded license stamp.

3. The license stamp and “ticket” are used at different times. In Stefik, the ticket is checked before the forwarding of a work. In applicant’s system, the license stamp is checked after the work has been received by the destination computer.

4. The effects of the ticket and license stamp are different. Stefik’s ticket prevents the server from providing access, whereas applicant’s license stamp prevents the receiver computer from carrying out actions on the file after it has already been received.

As noted in Applicants’ prior response, each of these differences is sufficient to establish patentability of claims 1, 12 and 23.

Applicant earnestly requests reexamination of this application and consideration of the arguments above, and issuance of a Notice of Allowability. In the Event the Examiner wishes

to maintain a rejection, Applicant respectfully requests that the Examiner articulate reasons for continuing the rejection despite the foregoing arguments, in the next Action.

A petition for a three month extension of time is included on the transmittal hereof. If any other charges or credits are necessary to complete this communication, please apply them to Deposit Account 23-3000.

Respectfully submitted,

/Thomas W. Humphrey/

Thomas W. Humphrey
Reg. No. 34,353

Wood, Herron & Evans, L.L.P.
2700 Carew Tower
441 Vine Street
Cincinnati, OH 45202-2917

Voice: (513) 241-2324
Facsimile: (513) 241-6234